



10-04-2001

U.S. Patent & TMO/TM Mail Rpt Dt #71

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being mailed to the Commission for Trademarks via first class mail on the date shown below..

10-2-01

Date of Mailing

Vickie Thomas

Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**EQUISTAR CHEMICALS, LP  
"PETITIONER"**

v.

**REICHHOLD CHEMICALS, INC.  
"REGISTRANT"**

**TRANSMITTAL LETTER**

TTBA Box  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Dear Sir:

I have enclosed the following:

1. Petition To Cancel in duplicate.
2. Postcard

The fee of \$300.00 as well as any additional fees or credits of overpayment should be charged to Deposit Account No. 12-2493 of Equistar Chemicals, L.P. **A duplicate copy of this letter is enclosed for charging purposes.**

Respectfully submitted,

Vickie Thomas

Vickie Thomas  
Equistar Chemicals, LP  
1221 McKinney, Suite 1600  
Houston, TX 77010  
(713) 652-4584 - Telephone  
(713) 309-2670 - Facsimile

Date: 10-2-01

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10-04-2001

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CERTIFICATE OF MAILING

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10-2-01  
Date of Mailing  
Freddie Thomas  
Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

CANCELLATION NO. \_\_\_\_\_

In the matter of U.S. trademark:

Registration No. 1,899,494 for the mark AQUATHANE issued June 13, 1995  
to Reichhold Chemicals, Inc. in International Class 1.

**EQUISTAR CHEMICALS, LP  
"PETITIONER"**

v.

**REICHHOLD CHEMICALS, INC.  
"REGISTRANT"**

PETITION TO CANCEL

TTBA Box  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Honorable Sir:

Petitioner is Equistar Chemicals, LP, a Delaware Limited Liability Partnership  
with offices at 1221 McKinney Street, Suite 1600, Houston, Texas 77010. Petitioner

owns Application Serial No. 75/628,350 for AQUATHENE filed January 26, 1999 in

10/09/2001 K6IBBONS 00000194 122493 1899494

01 FC:376 300.00 CH

International Class 1 which application has been FINALLY REJECTED by the Examining Attorney as being confusingly similar to AQUATHANE, Registration No. 1,899,494 which was filed August 24, 1992.

Because of the rejection of its application Petitioner has been severely damaged and automatically has standing to bring this action.

#### GROUND FOR CANCELLATION:


Based on information and belief, the mark has been abandoned by the Registrant and current owner. An investigation indicated that the mark has been assigned by Registrant to another party that does not intend to use it.

Please charge \$300.00 to cover the Petition to Deposit Account No. 12-2493 of Equistar Chemicals, LP. This Petition is been submitted in duplicate as required under the rules.

Under separate cover Applicant will advise the examining attorney that a Petition to Cancel had been submitted and request that the rejected application be placed in abeyance pending conclusion of the cancellation.

Date: 10/2/01

EQUISTAR CHEMICALS, LP

  
Dennis M. Kozak  
Assistant Secretary